

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 2705-01  
BILL NO.: HB 1395  
SUBJECT: Department of Agriculture; Kudzu  
TYPE: Original  
DATE: January 25, 2000

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2001</b>	<b>FY 2002</b>	<b>FY 2003</b>
Conservation Commission Fund	\$0 to (\$10,000)	\$0 to (\$5,000)	\$0 to (\$5,000)
Highway Fund	(\$2,479,092)	(\$2,553,465)	(\$2,630,069)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$2,479,092 to \$2,489,092)</b>	<b>(\$2,553,465 to \$2,558,465)</b>	<b>(\$2,630,069 to \$2,635,069)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2001</b>	<b>FY 2002</b>	<b>FY 2003</b>
None	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2001</b>	<b>FY 2002</b>	<b>FY 2003</b>
<b>Local Government</b>	(Unknown)	(Unknown)	(Unknown)

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

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**FISCAL ANALYSIS**

**ASSUMPTION**

The **Department of Agriculture** and the **State Courts Administrator** assume their agencies would not be administratively impacted by this proposed legislation.

The **Department of Natural Resources (DNR)** assumes that since they own property they would be subject to the provisions of the proposed legislation. Currently, the Department is not aware of any kudzu growing on any of their state property; therefore, they would not be fiscally impacted.

However, if kudzu is identified on any of the Department's property and they are required to eradicate it, the Department may pursue resources through the normal budget process.

The **Department of Conservation** assumes this proposed legislation would appear to impact their funds by less than \$10,000 per year. With further explanation, MDC assumes costs of \$10,000 or less the first fiscal year and costs of less than \$5,000 for the second and third fiscal years. This includes costs to identify and to eradicate the kudzu.

The **Department of Transportation (MHTC/MoDOT)** assumes that on a yearly basis, 1% of the entire acreage owned by MHTC (385,000 acres) has the potential for kudzu invasion. To eradicate kudzu, all vegetation in the area will be destroyed. Therefore, the Department also assumes that they would replant vegetation (native plants). The cost to eradicate the kudzu is estimated at \$100 per acre. The total cost to eradicate kudzu is \$385,000 (385,000 acres times 1% times \$100 per acre). The cost to replant vegetation is an estimated average of \$543.92 per acre for a total cost of \$2,094,092 (385,000 acres times 1% times \$543.92). Therefore, the total cost to eradicate kudzu and replant vegetation is \$2,479,092.

If kudzu invades more than the estimated 1%, the costs would proportionally increase.

MoDOT does not estimate any costs under the section 263.235. This provision affects "any person" and MoDOT does not fall under the definition of "person".

**Oversight** assumes that local governments could be impacted by the provisions of this proposed legislation; however, Oversight is unable to determine the fiscal impact.

**FISCAL IMPACT - State Government**

FY 2001  
(10 Mo.)

FY 2002

FY 2003

**CONSERVATION COMMISSION  
FUND**

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<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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<u>Cost - Department of Conservation</u> Expense and Equipment	\$0 to (\$10,000)	\$0 to (\$5,000)	\$0 to (\$5,000)
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## **HIGHWAY FUND**

<u>Cost - Department of Transportation</u> Expense and Equipment	<u>(\$2,479,092)</u>	<u>(\$2,553,465)</u>	<u>(\$2,630,069)</u>
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<b>Total Estimated Net Effect on STATE FUNDS</b>	<b><u>(\$2,479,092)</u> to <u>\$2,489,092</u></b>	<b><u>(\$2,553,465)</u> to <u>\$2,558,465</u></b>	<b><u>(\$2,630,069)</u> to <u>\$2,635,069</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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<u>Cost - Cities and Counties</u> Expense and Equipment	(Unknown)	(Unknown)	(Unknown)
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## FISCAL IMPACT - Small Business

Small businesses could be fiscally impacted due to eradication costs and the liability issues addressed in this proposal.

## DESCRIPTION

This proposal designates Kudzu (*Pueraria lobata*) as a noxious weed and a dangerous weed to agriculture.

Any person permitting Kudzu to grow and spread to the property of another is liable for damages, the costs of eradication, court costs, and reasonable attorney's fees.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

## SOURCES OF INFORMATION

Department of Agriculture

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Department of Conservation  
Department of Natural Resources  
Department of Transportation  
State Courts Administrator

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA  
Director  
January 25, 2000